

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

NATIONAL ENTERPRISES, INC.,  
Plaintiff,

vs.

C.A. NO. 94-0403 T

CLAYTON SHACKLETON,  
Defendant.

TEMPORARY RESTRAINING ORDER

This matter came to be considered by Judge Ernest C. Torres on March 12, 2008, on Plaintiff's Ex-Parte Motion for Temporary Restraining Order/Preliminary Injunction.

The Court having read the Ex-Parte Motion for Temporary Restraining Order/Preliminary Injunction, the Memorandum in Support of Motion for Temporary Restraining Order/Preliminary Injunction, the Affidavits of Timothy Tallarida and Melissa Horne, and having considered the further evidence and argument presented at the conference conducted in connection with the Ex-Parte Motion for Temporary Restraining Order/Preliminary Injunction, it appears that, unless Defendant Clayton Shackleton is restrained from transferring or assigning any interest he may have in EG Land Company, LLC ("EGLC"), the Writ of Attachment attaching Shackleton's interest in EGLC will become worthless and cause irreparable harm to Plaintiff National Enterprises, Inc. It further appears that (i) Plaintiff has a likelihood of success on the merits of this action; (ii) the balance of the hardships tips decisively in favor of Plaintiff; and (iii) the

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injunction will benefit the public interest. It further appears that because counsel for National Enterprises, Inc. made a good faith but unsuccessful effort to serve the Writ of Attachment on John Sheehan, Esq. as registered agent for EGLC, it was not practical to give notice of the Motion for Temporary Restraining Order/Preliminary Injunction to Defendant. As a result, it is hereby

**ORDERED, ADJUDGED AND DECREED:**

1. That effective March 12, 2008 and pending the hearing on Plaintiff's Motion for Preliminary Injunction, Defendant Clayton Shackleton is and shall be restrained from transferring or assigning any interest he may have in EG Land Company, LLC ("EGLC"); and

2. That a hearing on Plaintiff's Motion for Preliminary Injunction shall take place on March 18, 2008, at 2:45 p.m., or as soon thereafter as counsel can be heard.

Enter:

Per Order:

Ernest C. Sorensen  
Dated: 3/13/08

B. J. K.  
Clerk

This Order prepared by:

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